

**WILLIAM A. LITTLE ORAL HISTORY PROJECT**  
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**CHAIRPERSON, COURT ORDER ADVISORY COMMITTEE**

**INTERVIEWEE:** LUVERN RIEKE

**INTERVIEWERS:** WILLIAM LITTLE

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[00:00:00] **LUVERN RIEKE:** In late '71 or early '72, I had forgotten which, when I became involved. The Court Order Advisory Committee itself came out of the creed which the Federal District Court entered in the dispute between Tyree's group and the labor unions and management. The Court Order Advisory Committee had existed for perhaps a half year or so before I became involved in it. Judge Lindberg had appointed the committee as a means of trying to implement the decree that he'd ordered. That decree essentially says that each of the four trades: sheet metal, ironworkers, electricians and plumbers were indentured and trained true to journeyman's status, and certain numbers of Black persons, the numbers and the dates were specified. So the COAC was set up as an ongoing group to work out problems and sort of keep their eyes on the progress that was made.

They had membership from labor, and from management, and from the minority community, and from the government. Since those were the litigant parties, or the interested parties in the litigation, it's fairly understandable that they had problems that they could not resolve effectively themselves. So the judge asked me whether or not I would be impartial, uninvolved, since I am not directly involved in any one of those four constituent groups, [to be] chairman of the committee. I did it.

The committee then formed itself into a corporation and applied for a grant from the Department of Labor to get some money to hire staff. And we hired a director, and some counselors, and a secretary; and defined the tasks for ourselves as being surveillance of the number of people who were going in, how many hours they were working, whether or not there was any unevenness in the way that people were dispatched out of hiring halls, and the rest of those things that go into the implementation of the decree. The committee also saw its function as being a forum for anybody who had a problem of some sort, where it could be talked out; and if it could be resolved by that kind of discussion, fine, but if it couldn't be resolved by that kind of discussion, the issue could at least be shaped and narrowed down to whatever was really causing the difficulty, if possible, to identify that. And then it could be taken to the court and handled by the court.

I think we spent much of our time of the first couple years trying to resolve misunderstandings between the three major interests. The government was really a tangentially understood interest. The labor organizations and management groups and minority community were the parties who really had the most at stake. And there was a lot of doubt as to how much each of these groups could disclose to the others, just getting things up on top of the table where they could be looked at and opened was rather difficult, because when you're dealing at arms length with another group, as management and labor do, and as minorities and [inaudible] do, open disclosure took a long time. There was a lot of lack of confidence and trust. Gratefully that has been disappearing, and I think that the three groups are really working together fairly well now. That doesn't mean that they are each interested in the other one's welfare primarily, but at least the confidence level and trust level has gone up a lot.

Well about that time, as you will recall, Seattle had its own mini depression, and the goals which the court had set, which were really very conservative and very modest goals at the time the court created them—because of the large amount of unemployment on that occasion by our local recession, the goals became much more difficult to attain than they had been before, by no means impossible. In my own opinion, the goals could have been obtained if the program had gotten off at the start and everybody had cooperated. It wasn't, and by the time that people got around to the position where they were willing to work at it, the employment for the industries were very high—unemployment, I mean, was very high. It was around fifty, sixty percent of the journeymen in those trades were out of work.

Of course, the ratio of journeymen to apprentices controlled the number of apprentices that get out, so if you have fewer journeymen out there, there would be a lot less apprentices. That meant that although you could bring in apprentices, indenturement, there was not enough work available for apprentices to give them a decent income, and the apprentices then would get another job pumping gas or something and gradually would lose interest in the apprenticeship program that they were working in, especially lose interest in the classroom kind of training. Journeyman status requires both classroom and work experience, I'm sure that you know. A lot of the apprentices were fairly good about showing up for the job and got paid for it, but they were not very good about showing up to the classroom. That was a problem.

Another very large factor in this process was that when the decree was first entered, there was, of course, an option to appeal. The labor group did appeal the decision, they appealed it to the circuit court, and that was a process that required—I forgot how long—a year and a half, perhaps maybe two years. And during the time that the appeal was pending, nobody was giving away anything. That's a tactical maneuver, in part. In part it's

because I think that some of the parties in the case had a very genuine expectation that there might be a reversal or a modification. And the court was not enforcing its orders as it might have been, not because it wasn't interested, but because of the opinion of appeal by the local court, the trial therefore loses jurisdiction matter. It has jurisdiction to enforce what it said, but it has no jurisdiction to modify or supplement it. So there was a year and a half to two years during the appeal period in which the district court here couldn't make changes, and obviously changes are necessary. [alarm goes off] You can't foresee those problems clearly enough to write the perfect decree, and you'd like to amend it, but when it's down in California, you don't have jurisdiction. So that was another one of the problems.

When the circuit court affirmed the decree, then the question was whether or not there would be a review by the United States Supreme Court. A petition was made at the United States Supreme Court [?for what we knew?] had already been denied. The court didn't review it, but it gave us more time, and it was more of a block. That was a very major reason for the slowness in getting started. Slowness, recession, lack of jobs available, and some degree of unwillingness to make it work in a way. Although it was put together, implementation was slower and more difficult.

Having said all that, I think that I should say that the results despite all that has really been pretty good. I don't have the exact number right now but we got a substantial number. We're very close to target now. We are late, but we're very close to target on the number of apprentices. [alarm goes off] Perhaps even more significantly, not in terms of implementing the decree itself but as a byproduct of it, there have been a very large number of people who have come into the program to start training and have stayed with the apprenticeship program long enough to learn a skill, such as welding or some other skill, and then have taken a job in the Bremerton shipyards or at Scott or on the waterfront somewhere, and a very large number of people have upgraded themselves substantially from where they were, and then they've pulled out of the apprenticeship program and are doing this other thing, have doubled the salary perhaps they could have made before. That guy is, for purposes of the program, marked a failure, because he's never going to be a journeyman in one of these trades, and the union and the management don't count him up as one of their eighty-eight, or one of their ninety-six. But nonetheless, the truth of the matter is, that here is a man who has been given a good skill and a good way to earn a living and is doing very useful things for the world in general.

And it's a very valuable byproduct, I don't know whether anybody foresaw that one or not. And I repeat, it doesn't count for purposes of the decree, but it's very useful. I did not foresee it. I thought that once we got a man in as an apprentice, he would probably stick it out and become a journeyman. I had not perceived that other employers would come along and say to him, "We've got to have some welders here, and we've got some compliance problems with our own contracts, we've got to have a certain number of minority people, and I want five Black welders and I want you to be one of them." Bingo, we've just lost an apprentice. That means that we've got to start over from the ground up all the time with new guys who are just beginning a three-year course. And it's made it a lot harder to accomplish the court's order, because it was not expected that we would be training for that, and we wound up training for a lot of other industries. It is a good thing, I'm all for it, but it's made me [inaudible] .

I don't know if I'm responding to what you want or not.

[00:12:04] **WILLIAM LITTLE:** Yeah, that's right. So the other thing I would be interested in would be the effect of the then, the United Construction Workers Association, in terms of forcing the Court Order Advisory Committee to take certain types of action, if they did take any action.

[00:12:32] **LUVERN:** I think that the real utility in the UCWA's activities is less—well, let's put it this way: The real utility has been in dramatizing the nature of the problem by getting publicity for it and bringing it to attention. I don't think that UCWA has held the same kind of confrontation with the COAC. I think rather that the UCWA has seen COAC as being a place for their forum discussion, an opportunity to discuss problems that you wouldn't have otherwise. I think that the Court Order Advisory Committee has provided a valuable complement for UCWA to do the things that UCWA wants to do. By saying that, I don't mean that there haven't been moments of unpleasantness, there have, of course, been. When you get this group of people together, with directly the opposite interests, then of course each point of view is [inaudible], and we have lots of that going back and forth.

And at times I think that UCWA has felt that the other members of the Court Order Advisory Committee have formed a conspiracy. For example, management and labor, I think, have been suspected by UCWA of conspiring against the UCWA. I might also say that management has thought that labor and UCWA were conspiring against management, and labor has thought that UCWA and management were conspiring against labor. It's very easy to think that the other guys are against you. Let me illustrate that, so it isn't too abstract: I've had union people tell me that management was in favor of this decree, they wanted to bring a lot of new workers. Minority workers were just fine, because minority workers are less likely to be good union members. They don't feel any loyalty, historically, to the unions. The minority people and the unions have been enemies. And management would like very much to get a lot of minority people into the journeymen ranks to weaken the unions. You get a surplus of labor, and that way union bargaining strength will go down, and they won't get as high salaries and so forth. And so labor could very easily see management and UCWA as being in a conspiracy. The same thing is true with management imagining that there is a conspiracy with labor and UCWA against management.

[00:15:48] **WILLIAM:** Okay, let me ask you a question. This is what labor felt, or is this a fact, in terms of historical perspective? The relationship between Blacks and unions.

[00:15:59] **LUVERN:** I think that it is a historical fact that labor unions have excluded minority people from their ranks, that is what this case was all about, originally. The allegation was that the union had systematically excluded Blacks and other minorities, too. The plaintiffs in this, actually, were all Black, and that is why it became a Black order. The argument was that the unions had, in fact, discriminated against and excluded Blacks. There is an argument going between the Black and the union.

[00:16:36] **WILLIAM:** Okay, I'm not talking about that, I was talking about—I was trying to get at the historical fact of the conflict throughout the country in terms of unions and Blacks.

[00:16:45] **LUVERN:** A lot of the unionization movement occurred, I think that most of the organized trades didn't have enough minorities in them to make any difference. At the time the union strength was first developed in most of the skills, it was pretty much a white group that formed the union, and then the union, of course, becomes interested in protecting its own welfare. And that means white against anybody else.

[00:17:11] **WILLIAM:** Okay, but there is no evidence to really anything, that as a trend of Blacks within the movement that caused these situations?

[00:17:21] **LUVERN:** No, oh no, there was not. It's a historical accident, let's put it that way. At the time the union was formed its labor force was white, and it wasn't racial, I don't think, in the sense of the union people said, "We don't like other than whites."

[00:17:35] **WILLIAM:** Oh yes it was, it was. It was.

[00:17:37] **LUVERN:** Well, depending on where everyone comes down, the fact is, I think, that after the unions were organized, it protected its own interest. And those interests, I think, historically were in opposition to the non-members, and the non-members tended to be Black or minorities.

In the particular setting in Seattle, Judge Lindberg has on numerous occasions repeated that it is not his purpose to weaken the unions. What he wants to do, I think, and this I've never heard him say, so it's my assumption—I think that he would like to see the membership opened up by the introduction of a number of journeymen. That's why his target is in terms of journeymen admitted to the union, not apprentices. Most of the labor training programs in the United States are run by the Department of Labor, score a marker when the guy is introduced into the trade. This one scores only when he is a journeyman admitted to full card carrying membership. And the underlying reason for this is that if you get enough minority people in the union itself, participating in the union, that then you have a voice inside the union that will see to it that it's kept open. There's no implication here that unionism is a bad thing, it's that an exclusionary, discriminatory [alarm goes off] union is a bad thing.

Labor's position has been this: UCWA doesn't really want to be in the unions, UCWA is a union. United Construction Workers Association is a union, and that's dual unionism, and that a management group ought not to have to deal with more than one union. There ought to be one union representing the shop or the job or whatever. So management is very much in favor of that one, they don't want to deal with two different groups. And so management then would like to have the minorities into the union group in order to avoid this so-called dual unionism. Labor would like to avoid dual unionism, and at that point, since management and labor agree on that, the minority group tends to say, "Look, management and labor are lined up against us." But it isn't so much against UCWA, it's against the concept of dual unionism. I think that dual-unionism is largely a red herring.

[00:20:17] **WILLIAM:** I think so, too, but [inaudible] . It seems to me that the United Construction Workers Association was another function also, in terms of social services and surveillance of the industry, by and large.

[00:20:21] **LUVERN:** I think so, too, yeah.

[00:20:24] **WILLIAM:** So in that sense, they really don't function as a union, per se? They function as a—

[00:20:48] **LUVERN:** A political action group, or a training group. There has been a very interesting lesson learned in this too, I think. I believe that the United States attorney, and the court, and the UCWA all felt at the beginning of this process back in the 1970 period that the four years of training in some trades and three years of training in other trades was longer than required, and in itself was designed to be an exclusionary tool to protect the union from competition. So part of what the court ordered was a reduction of the so-called special trainee class, or special apprentice class, strike the word "trainee" and it was special apprentice. Two years instead of four years. And the court's order was to redesign your curriculum, redesign your training so that you can train the man to be a good ironworker or sheetmetal worker, whatever it is, in two years instead of four. In other words, cut out the nonsense and pick up the pieces. The union's position from the word "go" was, "You cannot do in two years what you can do in four years. We did not design this to be added, we designed it to be responsive."

The first guys that came out, that graduated, and there were some graduates from the special apprentice thing, we watched them very closely, and we found out that the man who is now competing for jobs on the market, the man with inadequate training doesn't get called back, and that's all. He is not worth the money to the employers.

The employers got a guy who can produce ten an hour and another who can produce five an hour, and he's got to pay them the same wage, he's obviously going to take the better person. So it wasn't so much a matter of discrimination on the part of the employer, when it came to hiring journeymen. We've had a number of Black journeymen who had equivalent training to the typical white journeyman, and those guys work almost exactly the same number of hours in a month. But if we had a special apprentice, whether he was carrying a journeyman's card, which is exactly like the other ones, he's never going to get callbacks. That is because he had not yet developed that degree of skills.

So over a period of the last few years, the position of the minority group has shifted to "We want our guys to have exactly the same training as was earlier prescribed," and the court's order was modified to go back to the longer training period because it was found to be functional. The trade-off on that one was the acceleration of the apprentice's pay, getting up to a higher level faster.

[00:23:54] **WILLIAM:** Some of this stuff is not really new to me. I was involved in a trade union myself, so I have some experience, not in this particular instance, but in other places, in Los Angeles, where I come from. And I went through that apprenticeship program, and I went through a service program of some sort that wasn't directly by the court, and I mean, everybody was just [inaudible] . I knew the trade, I knew it well because my father's a plumber, so I have some [?social relationship?] .

[00:24:22] **LUVERN:** Right. Okay, that's another very important thing. We're still suffering with this one, and I don't know how in heck to get out of it. The original one, the court said, it restricted terms on age and so forth. It's not good, let's take younger guys and older guys, open it up wide. Well, if you're going to be an electrician you've got to have a little math, and if you're going to be a plumber, you've got to read certain diagrams, and so forth. And the kind of men that we were attracting to get into this program, into the apprenticeship program, needed really basic high school education, that's all. So we found ourselves very quickly trying to set up some tutorial for them. For awhile we were doing basic reading and writing kinds of things, and math courses. That made it very hard, mostly because the people we were drawing were there because they didn't like to read and write and do math. And that made it difficult.

Well, we pretty well got over that for a while, and now we are back again with a requirement that—it's from our funding grant, from the Department of Labor, the department was interested in giving the opportunity to people that don't have the opportunity otherwise. They are requiring us to show that our guys are eligible for this special kind of training program that comes out of the grant money. That's fair enough. That is what the money is for, we have to show the eligibility. But the eligibility standards are such that almost describe a guy who is less likely to do well in the apprenticeship program than the ones we'd like to have, and that gives us a higher drop-out rate. But all the while, getting better, and that's a bit harder, little longer, but...

[00:26:26] **WILLIAM:** Yeah, I can see, I don't know if I can—1964 when I got out of the Marine Corps. I went down and applied to an apprenticeship program, and they gave me this IQ test, so I wouldn't have to examine [inaudible] in time. And they said I flunked it though, which was incredibly demeaning, and I really didn't flunk it, and the other kid—well, after I flunked it, they said [inaudible] flunked it, also; two of them, also. And you know, okay, they said you could go back and take it again in about another three months. So I went back again, they said I flunked it again, and I couldn't figure it out, because when I was in the Marine Corps I was a jet mechanic, and I think jet mechanic is much more, probably, than most plumber type of activities.

So I half around for a while, and it finally got decided, I got tied in with [inaudible] of other people. And I finally went over to the irrigation people, the irrigation sprinkler system, [?it was hot?] . And to hell with that, I'm gonna [?move down and start an air conditioning program?] , just put me in. I worked about six months

doing different types of jobs in Southern California, and finally I moved to a job in Long Beach, which was called El Dorado Park, it's a massive park in Long Beach area. But I laid the whole park out, and they began to realize that I had some brains. After I left that park [inaudible] , and I submitted applications, they took me to another place with a golf course in California, the [inaudible] golf course, [?'it's another?'] type of job. And then they finally made me a journeyman, but it took me about five months, less than five months. So I was in the field, they left me out, jammed me in, about three months later I still became it. But it was really incredible because—

[00:28:29] **LUVERN:** You see, you're the kind of guy whose background that would allow you to do well in this program. This is what I am trying to get at, because by definition, we wouldn't be able to take you. The union could take you, of course, but in the program, the COAC program, because of the funding restriction, we couldn't take you. We've got to take the guy who doesn't have your family, your acquaintance, your other training, and your ability, your education, and so forth, which makes it real tough. And it's easy for me to say, "Well, of course the union can take you anyway," but we pretty well got a schnapper on that one, because the unions now are hard pressed in this area to provide enough jobs for apprentices to take care of the ones that they must take by court order, that means that you are just plain excluded.

[00:29:14] **WILLIAM:** Well, [?'haven't we already found that anyway?'] . [laughs]

[00:29:17] **LUVERN:** No, I don't mean you personally, but I mean a man of your background. And we almost defined a situation in which we are required to take the guys with the least probability of success, that is an overstatement, and I am sure that you recognize that, but you also conceive how it works. Nobody likes that. The minority doesn't like that, management doesn't like it, nobody likes that, but it happens because that's where we get the money for the program. And the government likes it.

[00:29:55] **WILLIAM:** So what you got is the person who is least likely to succeed, and they got the better opportunity than those who have a better chance of succeeding with it, and it creates some kind of problems in terms of long-term benefit, in terms of the type of participation, the quality of participation, in [?'what you've already said to me?'] , if people follow judgement that's based on an assumption.

[00:30:22] **LUVERN:** This is the point. We're going to get a Trojan Horse business going here, where we're only going to have any Black journeyman in the trade, in the union. We've got to have some guys in there that have—

[00:30:34] **WILLIAM:** That have some leadership capacity.

[00:30:36] **LUVERN:** Exactly.

[00:30:37] **WILLIAM:** And that's the problem I see, is that you're taking the people from the bottom and putting them at the top. You get criticized for putting them at the top, but it seems like this program is filling the top and the types of leadership and the types of activity these people would be involved in in the union, but mainly to the fact that they may make decisions which are really not in their best interest, or even in their self-interest, by and large, due to the level of education. You begin to, as opposed to teaching them a technical skill, teach them an academic trade also. So you get a combination of things at play.

[00:31:11] **LUVERN:** You need consistent objectives, one is to take the guy with the least opportunity, he's had the least chance, and you give him a real boost, and that's a great thing to do. The other one is to take the guy who is going to do the most good for the fellows in the next round.

[00:31:30] **WILLIAM:** Yeah, in terms of limitations, you already see there's a limitation in place for the people anyway. They begin to be just a plain journeyman without any additional responsibility. [?Retention planning?] , I think, is your responsibility. I think you already have a termination level, but they never come thinking, "Gee, [?no boss?] . For context, you miscalculated somebody [?was bringing money?] when you become [inaudible] , and any kind of category you may have with people, a person or two people in that category, there will be an exception that you didn't anticipate, but overall, you're already setting yourself up for a certain level of expertise.

[00:32:07] **LUVERN:** A lot of these people seem to have limited capacity or are going to develop into real strong people, I have seen some of that already. But on the other hand, the law of averages is still there.

[00:32:21] **WILLIAM:** It's just like my father, he's a superintendent, I mean foreman, in Los Angeles. And it's very few Black people in this country that can lay out that type of job that he can produce, I mean types of jobs he's gonna lay out. But it takes a lot of extra education to do that, to really figure that type of stuff out, depending on what kind of journeyman you're gonna be. You know, if you're a Class A journeyman, you can function in large buildings, and those Class A jobs are fairly easy to put in because everything is laid out for you. The mechanic and architect put every [?vial?] , everything in it, you just lay it in. You don't really challenge or do innovative thinking. Some the jobs my father did sometimes—well, a lot of architecture and he caught a lot of mistakes that he was doing anyway. If you can take it, catch them, and understand them, and you put in that effort, you save the builder an awful lot of money. And that's what allows you to advance in that field, but my father [?didn't do?] that. But it's not that many people capable, and Los Angeles is a much bigger city than Seattle. And when you look at Seattle with this tradition in terms of Blacks' involvement, [?the least in class they were?] , you don't have any...

[00:33:45] **LUVERN:** You've got the idea. Visualize now trying to produce a hundred people who are both the kind of person you want and interested in indenturing for, let's say ironworkers, and that's just not easy to do, to fill up with that. And then add to the fact that all these people have to come out of high school dropouts or the poverty class, poverty levels of income. You had another restraint on what you get, which I'm not complaining, don't misunderstand me. I know that some of those guys are going to be just great. It's just that it's harder to do.

[00:34:26] **WILLIAM:** Of course it's very hard to do, and then you set up built-in limitations, also. It's built in, but although it's built-in, some people might squeeze through. But the problem I'm having with this whole thing is that the quality of whites entering the trade is much higher now. They're coming in the trades with junior college degrees and are better. So what you actually have is a competition, these Blacks are trying to compete with a much higher level. And that's really something else.

[00:34:58] **LUVERN:** If you haven't talked to Tyree and Harley Bird and those people about this problem—

[00:35:02] **WILLIAM:** I haven't gotten that far, I'm trying to get—with Tyree I'm doing mostly a chronological history of the organization.

[00:35:09] **LUVERN:** Sometime you might just talk to them about that, because they really have wrestled with this one. On one hand, obviously, they see the problems you just described, and they want the very best people as possible to get there. On the other hand, they want people in there, and there are not enough minority people of that level of education now to fill all of the slots that are to be filled. It is sort of like the poor devils who are the faculty on the campus, each one of them have ten committees that they're supposed to be on. There just are not enough at the moment to supply the demand, and you don't want to rob the ranks where you can fill it with somebody else. So it's inconsistent votes, it's about a judgement, which one is more significant. And UCWA



has had to wrestle that to the ground, and I think they've done a superb job of coming up with good compromises.

[00:36:15] **WILLIAM:** Well, that's in that ruling as a social service agency. Could you evaluate the UCWA's initial involvement in the Court Order Advisory Committee in terms of now? Like, do you see any transitions in the philosophy, ideology, in any other types of character? What are they?

[00:36:41] **LUVERN:** This is an outsider's view, but just from looking at it, it seems to me that UCWA had a much cleaner, sharper, focused objective a few years ago than it does now. I suspect that is a result of two things: one is the shift in the support of community itself. I think their public relations were much better a few years ago than they are now, and they got more support from the community.

[00:37:17] **WILLIAM:** When you say first, a shift in what?

[00:37:21] **LUVERN:** The goals and the objectives, or—I think that they saw their own role much more clearly a few years ago. They understood what they were doing better than they understand it now. Also, I think it was because just in the entire complex of the United States, there was more a spirit of urgency and even optimism about alleviating racial discrimination. I think that the public generally was, well, I'd say optimistic about that. They thought something that should be done, could be done. There was at least an openness to experience, which made it possible for organizations such as UCWA to give it some support and talk about money now, as well as other kinds of support.

The last couple years, I think, that people are getting tired of trying to—I mean going, getting tired of it, of the whole discussion. People are becoming somewhat impatient about racial discrimination, hippies, and everything else. There's kind of a backlash going on. That makes it more difficult for organizations such as UCWA to accomplish their role and to get support to do it. Because it's more difficult, they've got to broaden and they've got to take on new jobs.

[00:39:09] **WILLIAM:** You say broaden their constituency?

[00:39:11] **LUVERN:** Yeah, and also their objectives.

[00:39:21] **WILLIAM:** [?Costs are not?] real factors?

[00:39:26] **LUVERN:** If you think, for example, that some of the things that Tyree has said in the last year, where he wants to speak on behalf of all minorities, not just Blacks, or not just minorities, but everybody who's working for iron, or plumbing, or so forth: In one way that's absolutely great, and in another way it's absolutely suicidal, because when he says to the Black community, "I am now representing everybody," he loses an awful lot of punch. On the other hand he can go along, be as narrowly focused as he was. Tyree's a man of real ability. He has real ability, real ability. And he's handled himself very well, I think. His job gets tougher all the time.

I think there's been a change in the nature of the organization. For the local projects, probably less effective now than they were five years ago. They may be doing more overall good in their broader objectives, I have no way of knowing about that. [pauses]

[00:41:32] **WILLIAM:** So you mean he's less effective in leading the Black community, more effective in drawing in the minority community, more effective in that sense?

[00:41:43] **LUVERN:** I can't evaluate that, certainly. I don't know how effective he is in the broader constituency. I have no way of believing it. He may be highly effective, but I just don't know.

[00:41:53] **WILLIAM:** Okay, in terms of your organization, your primary focus was on Blacks, and you focus primarily on minorities.

[00:42:00] **LUVERN:** Blacks. See, the court order is purely Blacks. The blacks were the only plaintiffs in the case. I'm sorry, the plaintiff was the United States, but it was only Blacks who there was discrimination against.

[00:42:11] **WILLIAM:** So although Tyree laid out particularly the position of representing the Third World broader constituency, in fact, your organization hasn't responded to that?

[00:42:23] **LUVERN:** Can't.

[00:42:25] **WILLIAM:** Or the court hasn't responded to that?

[00:42:27] **LUVERN:** No one has asked the court to. For the court to respond to it, someone who is a Chicano or an Asian or something will have to say, "We have been discriminated against." Otherwise, the judge is not a social worker, he's got to respond to proof of discrimination.

[00:42:34] **WILLIAM:** So in other words, it's not really affecting the Third World people. And they haven't begun to take it on?

[00:42:49] **LUVERN:** It's got negative effects. The ironworkers now must have this number of Black apprentices. They haven't got enough jobs to take in anybody else. If they're going to comply with the court's order, although the court has never said that they couldn't hire other persons indirectly, they must hire this number of Blacks. If there are only that number of jobs, there are no other jobs for them. So it's negative, and Tyree's had to wrestle with that. And the Discrimination Board in this state has received a number of complaints from other minorities, who have said that in effect, this program is discriminating against other minorities. That's both true and false at the same time. Technically not true, practically true.

[00:43:55] **WILLIAM:** And that's an issue you haven't resolved yet.

[00:43:57] **LUVERN:** Let's take the case of a Chicanos, a guy who wants to be a steelworker in Seattle. He goes down and says, "I want to be an apprentice," and they say to him, "We'll put you on the waiting list along with the Caucasians and the Asians, and so forth." He's just not going to get called. Then he says, "You are discriminating against me." The answer is, "No we are not, we are complying with the court's order. The court's order is that we have to take in eighty of these people over here, Blacks. We only have seventy jobs. We'll get around to you some day, maybe in another three years." He says, "That's discrimination if I've ever heard of it, and the union's order is, "It may be, but even so, it's discrimination by the courts, not by us." And so it's tougher for a Chicano today to do what Tyree did than it was for Tyree to do what he did back in the late '60's. Can't prove discrimination.

The theoretical answer to the Chicano is to go down and tell the judge, make your case of discrimination. He can't make his case of discrimination, because the unions are in the position of saying, "We're doing exactly what the court told us to do."

[00:45:08] **WILLIAM:** So by not being able to assume at a particular time, in effect, he is the victim of a kind of reverse discrimination. I hate to use the term.

[00:45:21] **LUVERN:** Yeah, I don't know if that is quite the term we want there, either. A couple of the trades have not indentured anyone, any apprentices, except Blacks. And that is exclusionary to everyone else, I think, but it is not "discriminatory" in the sense that you can only hold the union responsible.

[00:45:57] **WILLIAM:** Okay, let me go back. I remember when I was working with King County, I used to work for King County, not at the exact time when this came about but later, I think [?Pocker?] was on that board.